

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 8-12, 19-24, 30-33, 38-41, 47-50, and 55-57 are pending in the present application with Claims 9-11, 22, 31, 39, 48, and 56 withdrawn from consideration. Claims 1, 12, 24, 33, 41, and 50 are amended by the present amendment.

In the outstanding Office Action, Claims 1, 8, 12, 19, 21, 23, 24, 30, 32, 33, 38, 40, 41, 47, 49, 50, 55, and 57 were rejected under 35 U.S.C. § 102(b) as anticipated by Ikegame (Japanese Patent No. JP 10-116431), which is respectfully traversed for the following reasons.

Independent Claims 1, 12, 24, 33, 41, and 50 have been amended to more clearly recite that a magnet has at least three poles instead of three portions. The claim amendments find support in the specification, for example at page 30, lines 8-16, and in Figure 14, which shows two N poles and one S pole.

Briefly recapitulating, amended Claim 1 is directed to an objective lens drive apparatus that includes a magnetic circuit and a coil unit. The magnetic circuit includes a magnet having at least three poles. In a non-limiting example, Figure 14 shows the magnet 5 having three poles S and N.

Turning to the applied art, Ikegame shows in Figures 11 and 12 an objective lens driving device having magnets 8 and 9. Further, Ikegame shows in Figures 13, 14, and 15 that the magnets 8 and 9 have only two poles, i.e., one N and one S. In this respect, it is noted that paragraph [0033] of the English translation of Ikegame discloses that “magnets 8 and 9 are magnetized [to have] two poles.”

The outstanding Office Action states on page 3, first full paragraph, that Ikegame discloses in Figures 11 and 12 magnets 8 and 9 having right, left, up and bottom portions.

However, Applicants respectfully submit that the right, left, up and bottom portions of the magnets 8 and 9 of Ikegame do not correspond to the claimed poles because simply identifying parts of a magnet does not make those parts magnetic poles. As shown in Figure 14 of the specification, plural magnetic poles of a single magnet are obtained by building the magnet in such a way.

Accordingly, it is respectfully submitted that independent Claims 1, 12, 24, 33, 41, and 50 and each of the claims depending therefrom patentably distinguish over Ikegame.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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